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REMARKS

The specification has been reviewed, and clerical errors are corrected.

Claims 1-14 and 16-19 are present in the application. Claim 15 has been rewritten in independent form as new claim 17 and includes all of the limitations of claims 13 and 14 and is allowable as indicated by the Examiner in paragraphs 4 and 5 of the Office action.

New claims 18 and 19 are directed to the feature of applicant's invention as described in the specification at page 8, lines 18-28. Claim 18 depends from allowed claim 17 and is deemed to be allowable therewith, while claim 19 depends from parent claim 13.

In the Office Action Summary, in the "Status" section, the date of communication the Action is responsive to appears to be incorrect. It is believed that the date of communication should be the filing date of the application, March 10, 2004.

In paragraph 2 of the Action, claims 1 to 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Watanabe et al.* (US 5,241,149).

In paragraph 4 of the Action, it was indicated that claim 15 would be allowable if rewritten in independent form. As pointed out above, new claim 17 corresponds to claim 15 in independent form.

Applicant respectfully traverses the rejection and requests reconsideration. Claims 1 to 13 are not

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unpatentable over *Watanabe et al.*, and claim 14 is deemed allowable with claim 13 for the reasons explained below:

As recited in claim 1, an oxygen absorber of the invention comprises an iron powder, and a first layer coated on a surface of the iron powder. The first layer is formed of iron chloride.

Further, as recited in claim 13, a method of manufacturing an oxygen absorber comprises the steps of: preparing iron powder, and forming a first layer formed of iron chloride on a surface of the iron powder.

*Watanabe et al.* has disclosed a food packing body for heat and microwave treatment. Fig. 1 in *Watanabe et al.* shows an oxygen absorber packet (10) for the food packing body. An outer layer of the bag has permeable pores (20), and is formed of a polyester film (12); a polyethylene film (14); an electrically conductive film (16); and a binding film layer (18). An intermediate layer is formed of an air-permeable layer (22). An inner layer has permeable pores (26), and is formed of a heat-sealing film layer (24). An oxygen absorber (25) is contained in the bag (col. 11, lines 8-36). *Watanabe et al.* states this structure as "the configuration involving layers of air-permeable microwave-proof material and air-permeable packing material on one side of the packet makes it possible to place the packet with the surface without pores facing the food" (col. 7, lines 13-17). Note that the layered structure of the air-permeable microwave-proof material and the air-permeable packing material constitutes the bag of the oxygen absorber packet (10), and the oxygen absorber (25) is contained in the bag.

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As for the oxygen absorber, Watanabe et al. states "Oxygen absorbers in general use are, for example, absorbers containing sulfite, hydrogensulfite, dithionite, ferrous salt, hydroquinone, catechol, gallic acid, resorcinol, pyrogallol, rongalite, ascorbic acid and/or ascorbic acid salt, isoascorbic acid and/or isoascorbic salt, sorbose, glucose, lignin, dibutyl hydroxytoluene or butyl hydroxycyanisole, or absorbers containing metal powder such as iron powder, or further absorbers generating or absorbing carbon dioxide. Among these absorbers, ones containing ascorbic acid and/or ascorbic acid and especially in the present invention, ones containing iron powder with an iron content of 40-99.95 wt.% are preferable" (col. 7, lines 21-33).

Further, Watanabe et al. states "As for oxygen absorbers containing iron powder as its main agent, metal halide, carrier, powder filler and water-absorbing high molecular composition can also be listed. The carrier holds water when necessary" (col. 7, lines 34-37).

As described above, an oxygen absorber of the invention comprises an iron powder, and a first layer coated on a surface of the iron powder. The first layer is formed of iron chloride. Further, a method of manufacturing an oxygen absorber comprises the steps of: preparing iron powder, and forming a first layer formed of iron chloride on a surface of the iron powder. As the Examiner pointed out, Watanabe et al. has disclosed the two main components of the invention, namely the iron powder and the iron chloride. However, Watanabe et al. fails to teach the particular structure of the invention, namely the iron powder coated with the iron chloride. Watanabe et al.

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simply lists the components, and does not disclose or suggest the particular structure of the invention.

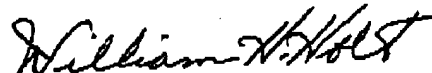
In paragraph 2 of the Action, the examiner stated that "It is considered that it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a coated first layer of the iron chloride absorber in Watanabe because Watanabe discloses laminated layers of microwave-proof and packing material as preferable for safety and health (see column 7, lines 13-18)". However, as explained above, in this part of the specification, Watanabe et al. describes the structure of the packet, not the oxygen absorber. In Watanabe et al., the oxygen absorber (25) is contained in the packet, and there is no description regarding the multilayered structure of the oxygen absorber (25).

As explained above, Watanabe et al. does not disclose nor suggest all the features of the invention recited in claims 1 and 13. Therefore, the invention is not unpatentable over Watanabe et al. Regarding new claims 18 and 19, Watanabe et al. does not incorporate his oxygen absorber with other plastic and form a container therefrom.

In view of the foregoing, reconsideration of the application is requested and allowance of claims 1-14 and 16-19 is courteously solicited.

Respectfully submitted,

October 13, 2005



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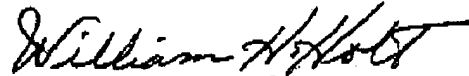
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CERTIFICATE OF FACSIMILE TRANSMISSION

The undersigned hereby certifies that this Amendment is being transmitted to: Commissioner for Patents; United States Patent and Trademark Office, to 571 273 8300, on October 13, 2005.

  
William H. Holt